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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SCOTT FRIEDMAN, an individual,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA;)
GENE M. TIERNEY, individually and)
in his official capacity as an FBI Agent;)
MATTHEW A. ZITO, individually and)
in his official capacity as an FBI Agent;)
THAYNE A. LARSON, individually and)
in his official capacity as an FBI Agent;)
LAS VEGAS METROPOLITAN)
POLICE DEPARTMENT; JOE LEPORE,)
P#6260, individually and in his official)
capacity as an officer of the LAS VEGAS)
METROPOLITAN POLICE)
DEPARTMENT; DARREN HEINER,)
P#2609, individually and in his official)
capacity as an officer of the LAS VEGAS)
METROPOLITAN POLICE)
DEPARTMENT; JASON HAHN, P#3371,)
individually and in his official capacity)
as an officer of the LAS VEGAS)

Case No. 2:18-CV-000857-JCM-VCF

**STIPULATION AND ORDER TO
EXTEND THE DEADLINES FOR
PLAINTIFF TO RESPOND TO
DEFENDANT UNITED STATES OF
AMERICA AND THE FBI
DEFENDANTS' MOTIONS TO
DISMISS [ECF NOS. 39 AND 55]**

(First Request)

1 METROPOLITAN POLICE)
 2 DEPARTMENT; Tali Arik, an individual;)
 3 Julie Bolton, an individual; and Arik)
 Ventures, an entity formed by Tali Arik,)
 4 Defendants.)

5 IT IS HEREBY STIPULATED and AGREED by and between Defendant the United
 6 States of America, by and through GREG ADDINGTON, Defendant GENE M. TIERNEY, by
 7 and through GREG ADDINGTON, Defendant MATTHEW A. ZITO, by and through GREG
 8 ADDINGTON, and Defendant THAYNE A. LARSON, by and through GREG ADDINGTON
 9 (Defendants TIERNEY, ZITO, and LARSON are hereinafter referred to collectively as the “FBI
 10 Defendants”), and Plaintiff SCOTT FRIEDMAN, by and through his counsel, MELANIE A.
 11 HILL and LISA A. RASMUSSEN, that the deadline for Plaintiff to file a response to Defendant
 12 United States’ Motion to Dismiss [ECF No. 39] and the deadline for Plaintiff to file a response
 13 to the FBI Defendants’ Motion to Dismiss [ECF No. 55] be extended to Friday, September 7,
 14 2018. This Stipulation is executed for the following reasons:

- 15 1. AUSA Addington filed a Motion to Dismiss [ECF No. 39] on behalf of the United
 16 States *only* on July 26, 2018.
- 17 2. The parties filed a Stipulation [ECF No. 43] to defer briefing on the United States’
 18 Motion to Dismiss [ECF No. 39] on August 8, 2018. The purpose of the Stipulation
 19 was to allow Plaintiff to respond to the United States’ Motion to Dismiss after
 20 AUSA Addington filed a Motion to Dismiss on behalf of the FBI Defendants so both
 21 motions could proceed on the same litigation track. The Court entered an Order
 22 granting the Stipulation on [ECF No. 48] August 10, 2018.
- 23 3. AUSA Addington filed a Motion to Dismiss [ECF No. 55] on behalf of the FBI
 24 Defendants on August 16, 2018.
- 25 4. The Plaintiff’s response to the FBI Defendants Motion to Dismiss is due on
 26 Thursday, August 30, 2018.
- 27
- 28

1 5. In the Stipulation to defer briefing, the parties informed the Court that they would
2 submit a proposed briefing scheduled for the two Motions to Dismiss so that the
3 Motions could continue on the same motion briefing track.

4 6. The parties propose the following briefing schedule:

5 a. The deadline for Plaintiff to file a response to Defendant United States'
6 Motion to Dismiss [ECF No. 39] and the deadline for Plaintiff to file a
7 response to the FBI Defendants' Motion to Dismiss [ECF No. 55] shall be
8 extended from Thursday, August 30, 2018 to Friday, September 7, 2018.

9 b. The deadline for Defendant United States and the FBI Defendants to file their
10 replies in support of their motions to dismiss [ECF Nos. 39 and 55] shall be
11 extended to September 21, 2018.

12 7. The request for additional time in this Stipulation is made in good faith and not for
13 the purposes of delay.

14 Dated this 28th day of August, 2018.

15 Respectfully submitted by,

16
17 DAYLE ELIESON
18 UNITED STATES ATTORNEY

MELANIE HILL LAW PLLC

19 By: /s/ Greg Addington
20 GREG ADDINGTON
21 Assistant U.S. Attorney

By: /s/ Melanie A. Hill
MELANIE A. HILL
Attorney for Plaintiff Scott Friedman

22 LAW OFFICE OF LISA RASMUSSEN, P.C.

23
24 By: /s/ Lisa A. Rasmussen
25 LISA A. RASMUSSEN
26 Attorney for Plaintiff Scott Friedman
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